

How much will CSSD collect?

At the very least, CSSD collects the monthly child support payment. If there is past due child support, CSSD may take enough money each month to pay part of the debt and some of the interest charges.

In some cases, the state can reduce or wipe out your child support debt.

If your past-due child support is very large, you may be eligible to have your state-owed arrears 'vacated' if your child support order was a default order issued by CSSD. A default order means it was not based on your actual income and earning ability. For instance, it may have been based on inaccurate income information, or on the monthly amount your child received from Public Assistance during the 1980's and early 1990's.

If you qualify for a review of your default order, CSSD may vacate your old order and write a new one based on your actual income. The CSSD worker listed on this brochure can explain the Motion to Vacate in more detail.

The Appeals Process and How to Dispute Actions taken by CSSD

Incarcerated or not, you are entitled to appeal decisions of CSSD. The CSSD appeals process is especially important when your child support order is first established. Don't ignore mail from CSSD. The mail you get from CSSD will tell you if the actions taken by CSSD can be appealed and what the deadline is. All appeals can be handled in person, by phone or by mail.

If you need to appeal a decision but can't do it within the time allowed, it's very important to contact CSSD and request additional time. The CSSD worker listed on this brochure can explain the appeal process in more detail.

Release of Information

With your written authorization, CSSD will work with any adult or attorney you authorize to act on your behalf for your child support matters. This is very important since most incarcerated people can not obtain their tax and income information that CSSD may need to correctly calculate or adjust their child support order.

Contact information

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More information is available on our website:
<http://www.childsupport.alaska.gov>

what you should know about **CHILD SUPPORT** while you're in jail

Do I have to pay child support while I'm in jail?

Yes. Child support doesn't stop while you're in jail. It continues every month. However, you can ask to change the amount of the order.

Can I get the order changed because I'm in jail?

Yes, probably. You can get your order changed when there has been a big enough change in your income. Being in jail usually causes a big enough change in income.

Will my child support order be automatically changed when I go to jail?

No. You have to ask for the change. Your request must be in writing.

If You Have an Existing Child Support Order

How do I ask for the order to be changed?

If you have an existing order that you would like to change, you have to ask CSSD to send you a packet. Fill out the forms in the packet and return them to CSSD as soon as possible. Remember, you have to pay the higher child support amount until the change is approved.

You can ask the CSSD worker who is listed on this brochure to help you change your child support order, or you can call CSSD. Or you may call an attorney at your own expense.

How can changing my order help me?

If you don't pay your child support while you're in jail, you'll have a large child support debt by the time you get out. If you're in jail and your income is reduced, your child support can probably be reduced, too. If your income is below the federal poverty level you may receive a minimum order.

What if my order comes from another state?

All child support orders can be changed and CSSD will help you with any order. Even if the order is from another state, CSSD can help you change your order by asking for help from the court or the child support agency in the other state.

How long will the change last?

The changed child support amount will last as long as your income stays the same. If your income increases when you get out of jail CSSD will help you change your order again.

If You Get a New Child Support Notice

What should I do if I get a new child support notice?

Don't ignore it. If you don't answer, the notice becomes an order and CSSD will begin collecting money. When you get the child support notice you'll have 30 days to answer, starting from the time the staff at your facility signs for it. You may want to answer by just agreeing with CSSD's calculation, or you may want to disagree with the calculation. You may want to disagree about custody, or about who is the real father of the child or children.

If you feel the new order is wrong in some way, you can appeal it by requesting an Administrative Review. The form and instructions are attached to the order.

You can ask the CSSD worker who is listed on this brochure to help you, or you can call CSSD. Or you may call an attorney at your own expense.

Paternity

What are the benefits of making sure who the father is (establishing paternity)?

Making sure who the father is helps the child receive the same rights and privileges as other children. When a man accepts that he is the father, he can have a better relationship with his child. This helps the child socially, emotionally and financially.

How can CSSD help establish paternity?

A parent who is in jail and wants to establish a child's paternity should open a case at CSSD. Either the mother or the father can ask to have paternity established. If the parent is the child's father, he should fill out an Application for Services and the Alleged Father's Affidavit.

If the parent is the child's mother, she should fill out the Application for Services and the Paternity Affidavit. If the man isn't willing to sign a statement that he is the father, CSSD will start a paternity action. CSSD might order a test to determine whether or not he is the father. If the father lives outside Alaska and the child was conceived in Alaska, CSSD can still start a paternity action in the other state. If the father lives outside Alaska and the child was not conceived in Alaska, CSSD will ask for help from the state where the father is living.

Can the father ask to establish paternity, even if the mother objects?

Yes. The father has a right to establish his paternity rights. CSSD will help.

What if the man denies the child is his, or if he's not sure?

CSSD, or a court, can order a paternity test. This test can make sure if a man is the father. It can also make sure if the man is not the father. The man, the mother and the child are tested to determine paternity.

Who pays for the paternity test?

If CSSD orders the test, CSSD will pay the cost at the start. If the man is determined to be the father, he must pay back the costs (usually about \$200) to CSSD. If the man is not the father, he will not have to pay for the test. If either the mother or father disagrees with the original test results, he or she can pay for a second test.

Enforcement

How does CSSD enforce support orders of people who are in jail?

We send a Withholding Order to the Department of Corrections accounting office. Any money in an inmate's account at the jail can be taken to pay child support. Other assets such as land, equipment and bank accounts can also be taken to pay the child support.